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2474th MEETING

Held in New York on Thursday, 8 September 1983, at 3.30 p.m.

President: Mr. Noel G. SINCLAIR (Guyana).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2474)

1. Adoption of the agenda

2. Letter dated 1 September 1983 from the Acting Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/15947);
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   Letter dated 1 September 1983 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council (S/15950);
   Letter dated 2 September 1983 from the Acting Permanent Representative of Australia to the United Nations addressed to the President of the Security Council (S/15951)

The meeting was called to order at 4.55 p.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 1 September 1983 from the Acting Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/15947);

Letter dated 1 September 1983 from the Permanent Observer for the Republic of Korea to the United Nations addressed to the President of the Security Council (S/15948);

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Letter dated 2 September 1983 from the Acting Permanent Representative of Australia to the United Nations addressed to the President of the Security Council (S/15951)

1. The PRESIDENT: In accordance with decisions taken at the previous meetings on this item [*2470th to 2473rd meetings*], I invite the representative of Canada and the Observer for the Republic of Korea to take places at the Council table. I invite the representatives of Australia, Bangladesh, Belgium, Bulgaria, Colombia, Costa Rica, the Dominican Republic, Ecuador, Egypt, Fiji, the German Democratic Republic, the Federal Republic of Germany, Guatemala, Ireland, Italy, Japan, Kenya, Liberia, the Libyan Arab Jamahiriya, Malaysia, New Zealand, Nigeria, the Philippines, Portugal, Sierra Leone, Singapore, Spain and Sweden to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Pelletier (Canada) and Mr. Kim (Republic of Korea) took places at the Council table; Mr. Joseph (Australia), Mr. Chowdhury (Bangladesh), Miss Dever (Belgium), Mr. Garvalov (Bulgaria), Mr. Albán Holguín (Colombia), Mr. Zumbado Jiménez (Costa Rica), Mr. Knipping Victoria (Dominican Republic), Mr. Albornoz (Ecuador), Mr. Khalil (Egypt), Mr. Radrodro (Fiji), Mr. Ott (German Democratic Republic), Mr. Jelonek (Federal Republic of Germany), Mr. Delprée Crespo (Guatemala), Mr. McDonagh (Ireland), Mr. La Rocca (Italy), Mr. Kuroda (Japan), Mr. Wabuge (Kenya), Mrs. Jones (Liberia), Mr. Treiki (Libyan Arab Jamahiriya), Mr. Syed Ariff (Malaysia), Mr. Harland (New Zealand), Mr. Fafowora (Nigeria), Mr. Moreno Salcedo (Philippines), Mr. Medina (Portugal), Mr. Koroma (Sierra Leone), Mr. Koh (Singapore), Mr. de Piniés (Spain) and Mr. Amneus (Sweden) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT: I should like to inform members of the Council that I have received letters from the representatives of Chad, Paraguay, and Thailand, in which they request to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the provisions of Article 31 of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Barma (Chad), Mr. Cabello Sarubbi (Paraguay) and Mr. Kasemsri (Thailand) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT: I should like to draw the attention of members of the Council to the following documents: S/15958, containing a letter dated 6 September from the representative of Tunisia to the President of the Council; S/15959, containing a letter dated 7 September from the representative of Malawi to the President of the Council; S/15961, containing a letter dated 7 September from the representative of Japan to the President of the Council.

4. The first speaker is the representative of Chad. I invite him to take a place at the Council table and to make his statement.

5. Mr. BARMA (Chad) (*interpretation from French*): Allow me, first of all, despite the gravity of the circumstances, to congratulate you, Sir, on your accession to the presidency for the month of September. We are aware that the task which faces you in these shocking times is, indeed, an onerous one, but we are quite certain that with your eminent qualities as an experienced diplomat you will successfully conduct the work of the Council.

6. I should also like to express the gratitude of the people of Chad and its Government to your predecessor, Mr. Luc de La Barre de Nanteuil, representative of France, who spared neither time nor effort during the month of August to conduct the affairs of the Council.

7. Finally, my delegation is grateful to all the members of the Council for having allowed it to take part in this distressing debate.

8. The Council is dealing with a hateful act, one which, quite rightly, has raised an outcry of anger, indignation and horror throughout the world. I am referring to the murder of 269 innocent people which was carried out by the military apparatus of the Soviet Union on 1 September.

9. The reaction of Chad to this act of total irresponsibility was immediate. It took the form of a telegram which the Minister for Foreign Affairs and Co-operation, Mr. Idriss Miskine, addressed to his Korean counterpart, Mr. Lee Bum-Suk, which said, in essence:

> "Profoundly distressed by the ignoble act which has just been committed by the Soviet Union against a Korean civil aircraft in times of peace, an act which has caused the loss of lives of innocent men and women, the Government and people of Chad express their heartfelt condolences to the Government and people of the friendly Republic of Korea. At this time of distress, the Government of Chad associates itself with the Korean Government and the international community in vigorously condemning this shameful and unprecedented act which has been committed by the Soviet Union."

10. My delegation would also like to take this opportunity to reiterate to the families of the innocent victims, as well as their respective countries, its heartfelt condolences.

11. This violence should not surprise anyone, when we bear in mind that the MiG, the Tupolev, the Sukhoi and other Soviet bombers and fighters, have been active in recent years in Asian, African and Central American skies, sowing death and destruction in those regions.

12. In Chad, for example, since last Friday, two days after the destruction of the Korean plane, these aircraft are pouring tons of bombs on Oum Chalouba, in the east of the country, causing a tremendous loss of human life among the civilian population.

13. This tragedy is not a matter of chance: it is part of a premeditated plan which is designed to refashion the world by force in the image of the Soviet Union.

14. What is shocking in this affair is the untruthful and flippant way in which the Soviet authorities, at least in the days immediately following the act, dealt with this crime. They could have gone on deceiving the international community had it not been for the vigilance of the specialized services of Japan and the United States, which forced them to make their admission in the face of the publication of irrefutable proof of the destruction of the civilian plane which, for unknown reasons, had to leave the air corridor which was reserved to it.

15. Today, the world is aware that the Korean Boeing 747 was definitely shot down by the Soviet fighter plane, code name "805", contrary to the account given by the Soviet delegation on 2 September [*2470th meeting*], to the effect that the plane had disappeared over the Sea of Japan.

16. Fortunately, on 6 September, that delegation finally acknowledged the facts [*2471st meeting*]. The world is aware that the pilot who pressed the death button had an excellent view of the civilian craft, since it flew around it and referred to its flashing lights, as well as to the fact that it had reduced its speed, a sign that it was obeying. Consequently, the argument to the effect that the pilots who shot down the Korean plane could not have been aware at the time that this was a civilian plane, does not hold water.

17. The international community expects a firm reaction from the Council in the light of this challenge to the law and to human life. Airlines pilots' associations from the United Kingdom, France, Norway, Sweden and Denmark, have all set an example by calling for a boycott on flights to the Soviet Union. The Council, whose prime task is to maintain international peace and security, should condemn this action and induce the Soviet Government to acknowledge its responsibility in this affair. If the Soviet Government, nevertheless, persists in denying what actually happened, the least that can be required is that an international inquiry be held under the aegis of the Secretary-General.

18. Nevertheless, the Soviet Union, as we see it, should agree to honour the five-point demand which was presented by the delegation of the Republic of Korea [*2470th meeting*]. It is only thus that the safety of international civil aviation, upon which the life of each of us may depend, can be safeguarded.

19. The PRESIDENT: The next speaker is the representative of Paraguay. I invite him to take a place at the Council table and to make his statement.

20. Mr. CABELLO SARUBBI (Paraguay) (*interpretation from Spanish*): My delegation is pleased, albeit in these inauspicious circumstances, to see a representative of our region presiding over the Council. Indeed, Mr. President, your recognized skill and sound judgement guarantee that the discussion of this item will be conducted with the speed and effectiveness that its gravity requires.

21. In compliance with instructions received from our national Government, my delegation has asked to be allowed to speak in the Council to join the voices of protest and the demands for justice in the face of the violent deaths of innocent passengers on board a civil aircraft of Korean Air Lines which was attacked by a Soviet fighter plane.

22. I should like to express the indignation of all Paraguayans and their repudiation of this incident by reading out to the Council the text of a telegram addressed to the Secretary-General by the President of my country, General Alfredo Stroessner, as follows:

> "The people and Government of Paraguay join me in repudiating and condemning most energetically the barbaric crime committed against the peaceful and free Republic of South Korea by the Soviet Air Force. We denounce before the supreme world body of which you are the Secretary-General the new despicable communist aggression against humankind. I ask you, Mr. Secretary-General, to make public our denunciation and condemnation of the cowardly act of murder of almost 300 innocent passengers who were travelling on board a Boeing 747 of the South Korean commercial airline Korean Air Lines deliberately shot down by Russian warplanes.

23. My delegation is of the view that the Soviet Union must give the international community a proper explanation of its conduct, as well as pay full compensation for the damage caused to the aforementioned airline company and, in particular, to the families of the victims, whose feelings of sorrow we fully share.

24. The fact that the Soviet Air Force decided deliberately to shoot down a defenceless commercial air liner—even though it may have been overflying Soviet airspace—constitutes an affront to the most sacred principles of international coexistence and respect for human life and puts in jeopardy current principles of conventional law that exist specifically to govern the conduct of States in cases of unauthorized overflight.

25. Furthermore, the facts seem to confirm a highly disquieting policy of that super-Power, since back in 1978 another air liner of the same company was attacked over Soviet territory in similar circumstances—fortunately with the loss of fewer lives. We might ask what instructions govern the conduct of those who are responsible for Soviet defence systems in cases of emergency. Is it possible that they have such poor judgement and such great disdain for the lives of others? If so, the very security of mankind could be in jeopardy, in view of the enormous nuclear arsenal that that country possesses which could be utilized in the same irresponsible manner, resulting in incalculable damage.

26. We should like to conclude by appealing to the wisdom of the Council and to common sense, especially that of its permanent members, which bear primary responsibility for security in the world, so that the sacrifice of so many innocent lives might not be in vain but, rather, that a new lesson may be learnt and new measures taken to enhance trust among peoples and ensure progress in the application and improvement of the norms that govern the security of international air traffic.

27. The PRESIDENT: The next speaker is the representative of Thailand. I invite him to take a place at the Council table and to make his statement.

28. Mr. KASEMSRI (Thailand): First of all, I should like to convey to you, Sir, my delegation's sincere congratulations on your assumption of the presidency for the month of September. It is indeed fortunate that at this critical time the Council can avail itself of your undoubted experience and diplomatic skills to guide it in its deliberations.

29. I should also like to convey my delegation's sincere appreciation to your predecessor, Mr. Luc de La Barre de Nanteuil, representative of France, for the dedicated manner in which he presided over the Council's proceedings during the month of August.

30. My delegation is indeed grateful to you, Mr. President, and to the other members of the Council for the opportunity to participate in the debate on this important item.

31. As representatives are aware, the tragic destruction of Korean Air Lines flight No. 007 on 1 September involved the death of 269 passengers, including eight nationals of my country, Thailand. Earlier information had indicated that six Thai passengers met their death on that fateful flight. According to the latest information, there were in fact eight persons of Thai nationality on board: one family—the father, mother and child; a young woman and an infant; two other women and a boy. In this connection, my delegation has noted with appreciation the expressions of sympathy and condolence made by various representatives in the Council and will duly convey them to my Government and the bereaved families.

32. The Government and people of Thailand first learned of the incident with shock and disbelief. As the

circumstances of the destruction of the passenger aircraft became more clearly known, the popular feelings turned into abhorrence and dismay. Questions were asked as to why, in peace-time, a passenger aircraft on a regularly scheduled flight could be shot down, without regard for the innocent and hapless people on board. What sort of world are we living in when such wanton destruction can occur in cold blood, as if 269 lives were a mere dot on the radar screen that could be extinguished in a flash? Our hearts cried out for the victims and their bereaved families, who were perhaps as helpless in the face of the imminent danger as all of us are—mere human beings vulnerable to lawless violence and indiscriminate weapons.

33. As further information became available, the Royal Thai Government took the following actions. First, the Prime Minister of Thailand sent a message dated 2 September 1983 to the President of the Republic of Korea, and the Ministry of Foreign Affairs of Thailand issued a statement of the same date concerning the incident [*S/15954, annex*]. When additional information reached my Government, leaving little doubt as to the nature and extent of the responsibility, the Minister for Foreign Affairs of Thailand handed the Soviet Embassy in Bangkok a note expressing profound shock over the shooting down of a commercial Korean air liner and strongly condemning the use of force against the unarmed civilian aircraft, resulting in the loss of 269 lives, including the lives of eight Thai nationals. The Government of Thailand demands that the Soviet Union give immediate and detailed clarification of the incident, and that the families of the victims be given adequate and just compensation. The representation was made on 5 September, and up until now no response or clarification has been given by the Soviet Government to my Government.

34. My delegation therefore joins in the demand of other delegations before the Council in seeking a prompt and impartial investigation, which would receive the co-operation of all States and parties concerned, into the details of the circumstances surrounding the tragic incident.

35. Furthermore, in conveying its sincere condolences to the families of the victims, my delegation joins in the demand made by other Governments concerned that full and just compensation be provided them by the Soviet Government. Available information indicates beyond any reasonable doubt that, whatever was the intent and purpose of the action by the Soviet interceptor's pilot, it was an act performed in the course of official duty, which imputes responsibility to the State, in accordance with international law.

36. Most recent events have confirmed that—and I quote the statement made in Madrid yesterday by the Minister for Foreign Affairs of the Soviet Union—"an air defence interceptor carried out the order of the command post to stop the flight". While the Soviet authorities have justified their action by reason of sovereignty and inviolability of the borders, the question remains whether their action does not violate international law, particularly the rules on international civil aviation, and the norms of civilized practice of States. The frightening thought is that, if the Soviet authorities are so concerned about an intrusion by a civil aircraft, what disastrous consequence would arise from continuation of the alleged overflights by military aircraft? Is the destruction of Korean Air Lines flight 007 intended to be a warning to civil airlines of less powerful nations? Was the Soviet action cloaked with super-Power arrogance and disdain for the weak and the helpless? Are we to infer from the Soviet action that overflights by civil aircraft are of greater concern to the Soviet Union than alleged overflights by military aircraft, or that the situation has become so desperate as to justify over-reaction, with all the possible ramifications? The issue we are dealing with would then transcend our concern for human rights and touch on the survival of the human race.

37. Jet travel has been a boon to modern man. The jet age has marked a step forward in man's quest for better knowledge and international understanding. The growth of international civil aviation, together with safety regulations and practices, has made an important contribution to the economic development of countries around the globe, and has thus far reduced distances between countries and peoples. The world therefore has a common stake in ensuring the safety of civilian aircraft and passengers, as well as in taking appropriate measures to prevent a similar tragedy. It is the earnest hope of my delegation that the present Council debate will lead to sober reflection and concrete action to achieve mutually beneficial goals.

38. The PRESIDENT: I shall now suspend the meeting for 20 minutes. When we resume the representative of the Netherlands will introduce a draft resolution [*S/15966*].

The meeting was suspended at 5.30 p.m. and resumed at 5.50 p.m.

39. Mr. MEESMAN (Netherlands): Last week we learned that a Korean civil air liner was shot down, involving the death of all 269 people on board. On Friday, 2 September, at the request of several delegations the Council met in urgent session to discuss this tragic incident and its possible consequences. Since then an overwhelming majority of participants in the debate have expressed their grief at this disaster and, at the same time, they have voiced their indignation at this wilful destruction of human life.

40. In the course of our debate many countries have expressed a deep concern at the possible consequences this tragedy may entail for the safety of civil aviation. As more and more details concerning the circumstances of the downing of the Korean civil air liner emerged it also became clear that the Council could not and should not remain silent as to the implications of this serious incident. Indeed, it would be remiss in the fulfilment of its duties under the Charter of the United Nations if it did not try now to sow the basis for a common understanding on the kind of conduct in civil aviation matters that would prevent the recurrence of a similar tragedy in the future and that would satisfy our sense of justice.

41. It is for this reason that a number of countries, among them the Netherlands, have submitted the text of a draft resolution [*ibid.*]. I do not intend to go into the details of the text which is now before the Council. Allow me only to take the opportunity to indicate one or two of the main points of this draft.

42. The draft resolution we propose tries to give expression to the dismay felt by many in so many quarters of the world that an incident of this gravity and magnitude could have taken place. Despite the fact that the Council has received ample evidence as to what actually led to the destruction of the Korean air liner some delegations have contested the validity of the facts which were brought to our notice. It will therefore come as no surprise that in the operative part of the draft resolution the Council invites the Secretary-General to conduct a full investigation into the circumstances of the tragedy so that an impartial inquiry can be conducted into the circumstances in which the Korean civil aircraft was brought down.

43. I am convinced that I speak on behalf of all countries sponsoring the draft resolution when I say that its principal objective is to contribute to the future safety of civil aviation. In the draft resolution the Council states unambiguously that such use of armed force against international civil aviation is incompatible with the norms governing international behaviour and, at the same time, the Council urges all countries to comply with the aims and objectives of the Chicago Convention on International Civil Aviation.[1] We trust that in view of the widespread concern expressed by so many nations in this room this draft resolution will receive the support of the members of the Council. We truly believe that a clear statement by the Council along these lines will do much to allay the apprehension concerning the future of air safety caused by this incident and felt throughout the world.

44. The PRESIDENT: I call upon the Observer for the Republic of Korea, who has asked to speak.

45. Mr. KIM (Republic of Korea): Since the Government of the Republic of Korea is not one of the States co-sponsoring the draft resolution [*ibid.*] I would like to state on record my Government's strong support for the draft resolution. I also wish to note that my Government has been in close consultations with all the countries concerned in preparing the draft resolution.

46. Since the delegate of the Netherlands so aptly presented our case as reflected in the draft resolution I do not wish to add much to what has already been said. May I, however, make one point clear: the draft resolution which has just been tabled, we believe, provides the Soviet Union with a unique opportunity to commit itself to the principle of non-use of force against international civil aviation. I wish to appeal to all members of the Council for strong support for the draft resolution, which has been carefully designed to prevent the use of armed force against international civil aviation.

The meeting rose at 6 p.m.

NOTE

[1] United Nations, *Treaty Series*, vol. 15, No. 102.

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